

Message Text

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ORIGIN EA-09

INFO OCT-01 ISO-00 ABF-01 ACDA-07 PM-04 DODE-00 MC-02

CIAE-00 INR-07 NSAE-00 L-03 SS-15 AID-05 IGA-02 /056 R

DRAFTED BY EA/TB:RASMITH:MGH

APPROVED BY EA/TB:JJHELBLE

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P 202006Z SEP 76

FM SECSTATE WASHDC

TO AMEMBASSY BANGKOK PRIORITY

S E C R E T STATE 232967

E.O. 11652: GDS

TAGS: MMOL, MILI, PFOR, TH, US

SUBJECT: U.S. RESIDUAL ACTIVITIES IN THAILAND: GAO

1. AS PART OF THE GAO'S CONTINUING INTEREST IN THE RESIDUAL ACTIVITIES NEGOTIATIONS, GAO OFFICERS HAVE REQUESTED AN EARLY APPOINTMENT WITH EA/TB COUNTRY DIRECTOR HELBLE. WE WOULD, THEREFORE, APPRECIATE A STATUS REPORT ON BOTH THE ICS AND CHIANG MAI AGREEMENTS.

2. FYI: THE MOST RECENT EXPRESSION OF GAO INTEREST IN U.S. RESIDUAL ACTIVITIES IS CONTAINED IN THE FOLLOWING LETTER TO THE SECRETARY DATED SEPTEMBER 8, 1976:

QUOTE DEAR MR. SECRETARY: IN CONNECTION WITH A SURVEY OF THE MOVEMENT OF AMERICAN FORCES FROM THAILAND, A QUESTION HAS ARisen AS TO THE PROPRIETY OF THE ESTABLISHMENT AND CONTINUED EXISTENCE, OF A STOCKPILE IN THAILAND DESIGNATED AS AMMUNITION IN THAILAND (AIT). IN THIS REGARD, SECTION 514 OF THE FOREIGN ASSISTANCE ACT OF 1961, PUB. L. NO. 87-195, 75 STAT. 424, AS AMENDED BY SECTION 103 OF THE INTERNATIONAL SECURITY ASSISTANCE AND ARMS EXPORT CONTROL ACT OF 1976, PUB. L. NO. 94-329, 90 STAT.

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730-731 (JUNE 30, 1976) READS, IN PERTINENT PART, AS

FOLLOWS:

"(C) EXCEPT FOR STOCKPILES IN EXISTENCE ON THE DATE OF ENACTMENT OF THE INTERNATIONAL SECURITY ASSISTANCE AND ARMS EXPORT CONTROL ACT OF 1976 AND FOR STOCKPILES LOCATED IN COUNTRIES WHICH ARE MEMBERS OF THE NORTH ATLANTIC TREATY ORGANIZATION, NO STOCKPILE MAY BE LOCATED OUTSIDE THE BOUNDARIES OF A UNITED STATES MILITARY BASE OR A MILITARY BASE USED PRIMARILY BY THE UNITED STATES."

IT HAS BEEN SUGGESTED, THEREFORE, THAT IF THE STOCKPILE WAS ORIGINALLY ESTABLISHED FOR UNITED STATES CONTINGENCIES, DESIGNATION OF THE STOCKS FOR THE THAIS WOULD NOW CONTRAVENE THE PROHIBITION AGAINST THE ESTABLISHMENT OF NEW STOCKPILES FOR FOREIGN COUNTRIES OUTSIDE OF THE BOUNDARIES OF A UNITED STATES MILITARY BASE OR A MILITARY BASE USED PRIMARILY BY THE UNITED STATES.

MOREOVER, SECTION 514 AS PREVIOUSLY ENACTED (SEE SECTION 15 OF THE FOREIGN ASSISTANCE ACT OF 1974, PUB. L. NO. 93-559, 88 STAT. 1799, DECEMBER 30, 1974) PROHIBITED THE ESTABLISHMENT OF WAR RESERVES FOR FOREIGN COUNTRIES UNLESS THE VALUE THEREOF WAS CHARGED AGAINST MILITARY ASSISTANCE PROGRAM (MAP) APPROPRIATIONS. IT HAS BEEN SUGGESTED THAT IF THE STOCKPILE WAS ORIGINALLY ESTABLISHED TO FULFILL THAILAND WAR RESERVE REQUIREMENTS, THIS SECTION WOULD HAVE BEEN VIOLATED UNLESS MAP APPROPRIATIONS HAD BEEN PROPERLY CHARGED.

WE WOULD APPRECIATE A COMPLETE REPORT ON THIS MATTER, TOGETHER WITH ANY COMMENTS YOU MAY DEEM APPROPRIATE. WE ARE ESPECIALLY INTERESTED IN OBTAINING THE FOLLOWING INFORMATION:

--THE DATE OF THE ESTABLISHMENT OF THE AMMUNITION IN THAILAND STOCKPILE,

--WHETHER IT WAS ORIGINALLY INTENDED FOR UNITED STATES CONTINGENCIES OR THAILAND WAR RESERVE REQUIREMENTS, AND IF FOR THAILAND, WHETHER MAP APPROPRIATIONS WERE CHARGED,
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AND

--THE DATE OF DESIGNATION FOR THAILAND WAR RESERVE REQUIREMENTS, IF ORIGINALLY DESIGNATED FOR UNITED STATES CONTINGENCIES.

A SIMILAR REQUEST IS BEING FORWARDED TO THE SECRETARY OF DEFENSE.

SHOULD YOU HAVE ANY QUESTIONS REGARDING THIS INQUIRY,
PLEASE CONTACT GEORGE A. KIELMAN, ATTORNEY-ADVISER, AT
275-5544. A PROMPT REPLY WOULD BE APPRECIATED. UNQUOTE.
END FYI. ROBINSON

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TROOP DEPLOYMENT, MILITARY PLANS, NEGOTIATIONS, FOREIGN ASSISTANCE LAW
Control Number: n/a
Copy: SINGLE
Draft Date: 20 SEP 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: KelleyW0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE232967
Document Source: CORE
Document Unique ID: 00
Drafter: RASMITH:MGH
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760355-0310
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760940/aaaabigi.tel
Line Count: 120
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EA
Original Classification: SECRET
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: KelleyW0
Review Comment: n/a
Review Content Flags:
Review Date: 26 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <26 JUL 2004 by ullricre>; APPROVED <25 OCT 2004 by KelleyW0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: U.S. RESIDUAL ACTIVITIES IN THAILAND: GAO
TAGS: MMOL, MILI, PFOR, MASS, TH, US
To: BANGKOK
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006